

**BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Telecommunications Relay Services	)	CG Docket No. 03-123
And Speech-to-Speech Services for	)	
Individuals with Hearing and Speech	)	
Disabilities	)	

To: Secretary, FCC  
For: Consumer and Governmental Affairs Bureau

**COMMENTS OF HAMILTON RELAY, INC.**

Hamilton Relay, Inc. ("Hamilton"), by its counsel, hereby submits these comments in response to the Commission's August 24, 2005 *Public Notice* regarding the proposed allocation factor for inbound two-line captioned telephone ("CapTel") calls.<sup>1</sup> NECA has proposed an interstate factor of 11% for inbound two-lined CapTel minutes. For the reasons set forth below, Hamilton supports the proposed allocation factor.

For inbound two-line calls to a CapTel user, the calling party dials the main telephone number of the CapTel user. The call comes directly in to the two-lined captioned telephone in the same way a call would come in to any traditional telephone. When the CapTel user answers the call, the two-lined captioned telephone connects the captioned telephone to a CapTel relay service using a second telephone line. When the connection is made, the two-lined captioned telephone takes the voice of the calling party off the first telephone line and sends it to the captioned telephone relay over the second line. The CapTel user is then able to both hear and

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<sup>1</sup> *National Exchange Carrier Association (NECA) Submits Proposed Allocation Factor for Inbound Two-Line Captioned Telephone Calls for Compensation from the Interstate Telecommunications Relay Services (TRS) Fund for July 2005 through July 2006*, CC Docket No. 03-123, DA 05-2346 (rel. Aug. 24, 2005) ("*Public Notice*").

read what the calling party is saying, with the assistance of a communications assistant and voice recognition technology.

In July 2005, the Commission recognized the importance of this service and clarified that two-line CapTel service is a type of relay service eligible for compensation from the Interstate TRS Fund.<sup>2</sup> However, as the Commission noted, there are limitations to residential phone service which make it impossible for CapTel providers to determine the origin of a particular inbound CapTel call — the call could be interstate, intrastate or international in nature.<sup>3</sup>

As a result of this problem, the Commission adopted an “allocation methodology” for determining the number of inbound two-line captioned telephone call minutes that will be compensated from the Interstate TRS Fund.<sup>4</sup> The Commission directed NECA to determine and apply, on an annual basis, an allocation factor for inbound two-line captioned telephone calls based on the relationship between interstate and international traditional TRS calls and all intrastate, interstate and international traditional TRS calls.<sup>5</sup>

For the period July 2005 to June 2006, NECA has proposed an interstate factor of 11% for inbound two-line CapTel minutes. The remaining 89% of minutes would continue to be allocated to intrastate jurisdiction.

Hamilton supports the 11% allocation factor, because it is rationally based on the submitted data of traditional TRS providers, including Hamilton, and accurately calculates the percentage based on that data. In addition, an 11% allocation factor comports with Hamilton’s

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<sup>2</sup> *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CC Docket No. 98-67, CG Docket No. 03-123, FCC 05-141 (rel. July 19, 2005).

<sup>3</sup> *Id.* ¶ 11.

<sup>4</sup> *Id.*

<sup>5</sup> *Id.* ¶ 12.

historical allocation of interstate/ international and intrastate TRS minutes, and is consistent with the Commission's methodology presently used for 800 and 900 number call minutes.

Hamilton wishes to note that its support for the allocation methodology for inbound 2-line CapTel does not extend to other allocation methods proposed by the Commission for other relay services. Specifically, Hamilton remains opposed to any allocation method for Internet Relay, for the reasons set forth in previously filed comments.<sup>6</sup>

For the reasons set forth above, Hamilton supports NECA's proposed 11% allocation factor.

Respectfully submitted,

HAMILTON RELAY, INC.

/s/ David A. O'Connor  
David A. O'Connor  
Holland & Knight LLP  
2099 Pennsylvania Ave., NW  
Suite 100  
Washington, DC 20006  
Tel: 202-828-1889  
Fax: 202-955-5564  
E-mail: david.oconnor@hklaw.com  
*Counsel for Hamilton Relay, Inc.*

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<sup>6</sup> See Comments of Hamilton Relay, Inc., at 4-6 (filed Oct. 18, 2004).